ECCLESIA LAW

Private Ecclesiastical Counsel
United States & International

"COURT CASE AS TRADED SECURITY"

DON KILAM & THE THEORY

1. Executive Summary

This report analyses the theories propounded by **Don Kilam** (author of *Masters and Bonds*), specifically his assertion that criminal and civil court cases are financial instruments (bonds/stocks) traded on the open market via the DTCC. Kilam advocates for the use of **GSA Standard Forms** (SF-24, SF-25, etc.) and **Stock Powers** to "bond" these cases and discharge liability.

Ecclesia Law classifies Kilam's methodology as **"Mimetic Financial Theory"** (or Cargo Cult Law). While Kilam correctly identifies the *macro-economic reality*—that the judicial system is a revenue-generating commercial engine backed by the securitization of public energy—his *micro-operational solution* is fundamentally flawed. He attempts to use federal construction contracting forms to settle state criminal charges, a procedural error that courts routinely classify as "frivolous" or evidence of mental incompetence.

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2. The Kilam Theory: How He Sees the Court System

Kilam's worldview, as detailed in his lectures and *Masters and Bonds*, rests on the following premises:

A. The "Court Case as Stock" Hypothesis

Kilam argues that every court case (indictment or citation) is not a legal controversy, but a **commercial offering**:

- **The Case Number:** He equates the Case Number to a **CUSIP** (Committee on Uniform Security Identification Procedures) number.
- **The Charge:** He views the "charge" literally as a financial charge (a debt).

- **The Trading:** He asserts that Court Clerks sell these judgments/indictments to the Federal District Courts, which bundle them into securities sold via the **Depository Trust & Clearing Corporation (DTCC)** and underwritten by companies like **PIMCO** or **Allianz**.

B. The Remedy: "Bonding the Case"

Because he views the case as a financial security, Kilam teaches that the defendant is actually the **Beneficiary** of the trust created by the case, but is tricked into acting as the **Surety/Trustee**. To reverse this, he prescribes:

- **GSA Standard Forms:** Filing **SF-24 (Bid Bond)**, **SF-25 (Performance Bond)**, and **SF-25A (Payment Bond)**. These are federal forms used for government construction contracts.
- **Stock Power (Form 405):** He suggests filing a "Stock Power" form to transfer the "shares" (the case) from the court's broker to the defendant, effectively claiming ownership of the "asset" (the case).
- **Letter of Rogatory:** Sending a formal request to the "foreign" court (the state court) to recognize the bond.

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3. The Ecclesia Law Critique: Why He Is Fundamentally Wrong

Kilam's theory suffers from a fatal **Category Error**. He confuses the *economic consequences* of the justice system with its *procedural mechanics*.

A. The "GSA Form" Fallacy (The Construction Trap)

- **The Reality:** GSA Standard Forms 24, 25, and 25A are governed by the **Miller Act (40 U.S.C. §§ 3131-3134)**. They are exclusively for **federal construction projects** (e.g., building a post office or repaving a highway).
- **The Flaw:** When a defendant files an SF-24 (Bid Bond) in a criminal rape or robbery case, they are essentially telling the judge: *"I am submitting a bid to construct this prison."* It is a non-sequitur. The court rejects it not because of a conspiracy, but because it is the wrong instrument for the jurisdiction. It is like trying to pay a speeding ticket with a library card—it has numbers on it, but it doesn't function in that system.

B. The "Stock Power" Delusion

- **The Reality:** A Stock Power is an instrument used to transfer ownership of registered securities (like shares of Apple or Tesla).
- **The Flaw:** A criminal indictment is a **liability**, not a registered stock certificate. You cannot "transfer ownership" of an indictment to yourself using a stock power because the indictment is an accusation of a crime, not a share of equity. Attempting to "buy" your criminal case with a Stock Power is viewed by the court as a "sovereign citizen" delusion.

C. The "CUSIP" Myth

- **The Reality:** While municipal bonds (which fund prisons and courthouses) *do* have CUSIP numbers, individual criminal case files do not.
- **The Flaw:** Kilam conflates the *funding of the system* (Municipal Bonds) with the *processing of the individual* (Case Number). You cannot trade a case number on a Bloomberg terminal. The "value" of a prisoner is securitized in *aggregate* (via prison bonds), not individually via the case file number.

D. The "Surety" Risk

Kilam advises defendants to act as the "Bounty Hunter" or "Surety" for the case.

- **The Risk:** In a criminal court, the **Surety** is the one liable if the defendant flees. By filing paperwork claiming to be the Surety, the defendant is often inadvertently confessing to the court that they are liable for the debt/penalty, while simultaneously providing a "bond" (SF-24) that creates no liquidity. This is a fast track to a "failure to appear" warrant or contempt charge.

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4. The Dangerous Outcome: "Paper Terrorism"

Kilam's approach—filing voluminous, irrelevant federal contracting forms in state courts—is explicitly defined by the FBI and DOJ as **"Paper Terrorism."**

- **Psychiatric Evaluation:** Judges frequently order defendants who file GSA bonds to undergo **competency evaluations**. The logic is: "This person is trying to bid on a construction contract in a murder trial; they must be mentally unfit."
- **Enhanced Sentencing:** Courts often view these filings as a lack of remorse and an attempt to mock the judicial process, leading to harsher sentences.

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5. Conclusion: Shadow vs. Substance

Don Kilam is **symbolically correct** but **technically disastrous**.

- **Symbolically Correct:** The system *is* a business. People are securitized. The court *is* a bank (in a metabolic sense).
- **Technically Wrong:** You cannot hack this banking system using GSA construction forms or Stock Powers.

Ecclesia Law Verdict: The Kilam method is **non-operational**. It offers the illusion of high-level financial wizardry but provides tools that are irrelevant to the venue. True remedy requires **Status Correction** (Envoy Protocol) to remove the person from the jurisdiction, or **Fiduciary Recoupment** (Clifford Protocol/OID) to settle the monetary value via the Treasury *administratively*, never by filing construction bonds in the courtroom.

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